

## UNITED STATES DISTRICT COURT

for the

District of South Carolina

Donald W. Gay

*Petitioner*

v.

Warden of Perry Correctional Institution

*Respondent*)  
)  
)  
)  
)  
)

Civil Action No. 9:22-cv-01766-SAL

**JUDGMENT IN A CIVIL ACTION**The court has ordered that *(check one)*:

☐ the plaintiff *(name)* \_\_\_\_\_ recover from the defendant *(name)* \_\_\_\_\_ the amount of \_\_\_\_\_ dollars (\$\_\_\_), which includes prejudgment interest at the rate of \_\_\_\_ %, plus postjudgment interest at the rate of \_\_\_\_ %, along with costs.

☐ the plaintiff recover nothing, the action be dismissed on the merits, and the defendant *(name)* \_\_\_\_\_ recover costs from the plaintiff *(name)* \_\_\_\_\_.

☒ other: Petitioner, Donald W. Gay, shall take nothing of Respondent, Warden of Perry Correctional Institution, as to the petition filed pursuant to 28 U.S.C. § 2254 and the petition is dismissed without prejudice.

This action was *(check one)*:

☐ tried by a jury, the Honorable \_\_\_\_\_ presiding, and the jury has rendered a verdict.

☐ tried by the Honorable \_\_\_\_\_ presiding, without a jury and the above decision was reached.

☒ decided by the Honorable Sherri A. Lydon, United States District Judge, presiding. The Court having adopted the Report and Recommendation set forth by the Honorable Molly H Cherry, United States Magistrate Judge.

Date: September 12, 2022

ROBIN L. BLUME, CLERK OF COURT

s/ A. Snipes

\_\_\_\_\_  
*Signature of Clerk or Deputy Clerk*